DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought in the application entitled

SEP 10 2001 EVICE AND METHOD FOR POSITIONING HUMERAL HEAD OF A HUMERUS PROSTHESIS
FOR A SHOULDER ARTHROPLASTY , the specification of which

(check one) X is attached hereto.

EVICE AND METHOD FOR POSITIONING HUMERAL HEAD OF A HUMERUS PROSTHESIS the specification of which (check one) is attached hereto. was filed on United States Application Serial No. PCT International Application No._____ and was amended on (if applicable) I hereby declare that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to herein. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56. I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate on which priority is claimed (as listed below) and I have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: Prior Foreign Application(s) **Priority Claimed** (Country) (Number) (Day/Month/Year Filed) Yes No (Country) (Day/Month/Year Filed) (Number) Yes. No I hereby claim benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below. 60/221,657 July 28, 2000 **Application Number** Filing Date Application Number Filing Date I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: (Status)(Patented, Pending, Abandoned) (Application Serial No.) (Filing Date)

(Application Serial No.) (Filing Date) (Status)(Patented, Pending, Abandoned)

(Application Serial No.) (Filing Date) (Status)(Patented, Pending, Abandoned)



And I hereby appoint Paul J. Maginot, Registration No. 34,984, Bradford G. Addison, Registration No. 41,486, Harold C. Moore, Registration No. 37,892, Bruce J. Bowman, Registration No. 35,458, David M. Lockman, Registration No. 34,214 and Jeffrey D. Carter, Registration No. 37,795 as attorneys of record with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please direct all communications regarding the application to:

Paul J. Maginot, Esq. Maginot, Addison & Moore 111 Monument Circle, Suite 3000 Bank One Center/Tower Indianapolis, Indiana 46204-5130 Telephone (317) 638-2922 Facsimile (317) 638-2139

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor Brian Maroney	
Inventor's signature Buian Masonew	Date: 7/9/01
Residence 505 Glenmore Drive, Ft. Wayne, Indiana 46804	
Citizenship United States of America	
Post Office Address Same as above	
Full name of second inventor Michael Coon	
Inventor's signature Make Com	Date: 7/9/01
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Citizenship United States of America	
Post Office Address Same as above	
Full name of third inventor Jeffrey Ondria Inventor's signature Residence 6132 E. 450 N. Lesburg, Indiana 46538	Date: 7/20/0/
Citizenship United States of America	
Post Office Address Same as above	
Same as above	
Full name of fourth inventor, Todd Durniak	
Inventor's signature	Date: 7 / 19/6/
Residence 10418 Indian Ridge, Ft. Wayne, Indiana 46814	, , ,
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Post Office Address Same as above	
Full name of fifth inventor <u>Joseph Iannotti, M.D., Ph.D.</u>	
Inventor's signature	Date:
Residence	
Citizenship United States of America	
Post Office Address Same as above	

Full name of sixth inventor Gerald Williams, M.D.		
Inventor's signature	Date:	
Residence		
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Post Office Address Same as above		

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		that I have reviewed he claims, as amend					fied
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rior Foreign	Application	n(s)				Priori	ty Claime
Number)	(Country)	(Day/M	(Day/Month/Year Filed)			Yes	No
Number)	(Country)	(Day/M	lonth/Year	Filed)		Yes	No
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I her pplication(s) tot disclosed Title 35, Unite Title 37, C	reby claim to listed below in the prior ted States Code of Fede	he benefit under Titl w and, insofar as the United States applic ode, §112, I acknoweral Regulations, §1 anal or PCT internations	e subject me cation in the ledge the cost of the cost	atter of each of ne manner prov luty to disclose h occurred bety	§120 of any Use the claims of wided by the fir material inforween the filing	this appli st paragr mation a	ication is aph of s defined
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Full name of first inventor Brian Maroney	
Inventor's signature	Date:
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Evil name of record inventor Michael Con-	
Full name of second inventor Michael Coon	D. 4
Inventor's signature	Date:
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Full name of third inventor <u>Jeffrey Ondrla</u>	
Inventor's signature	Date:
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Full name of fourth inventor Todd Durniak	
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Citizenship United States of America	
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Full name of fifth inventor <u>Joseph Iannotti, M.D., Ph.D.</u>	
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Full name of sixth inventor <u>Gerald Williams</u> , M.D.		
Inventor's signature	Date:	
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(che	eck one)	X	is attached	l hereto.		
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		that I have reviewed the claims, as amend				ified
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foreign appli and I have al	cation(s) for lso identified	preign priority beneft patent or inventor's below any foreign a the application on w	certificate on which	ch priority is clair ent or inventor's c	ned (as liste	d below)
Prior Foreign	n Application	ı(s)			Prior	ity Claimed
(Number)	(Country)	(Day/M	fonth/Year Filed)		Yes	No
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60/221,657				July 28, 2	000	
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application(s not disclosed Title 35, Uni in Title 37, (s) listed below I in the prior Ited States Co Code of Fede	ne benefit under Titl w and, insofar as the United States applic ode, §112, I acknow ral Regulations, §1 nal or PCT internati	e subject matter of cation in the mann ledge the duty to d 56(a) which occurr	each of the claims er provided by the lisclose material in red between the fi	s of this apple e first paragrant enformation a	lication is raph of as defined
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Desidence (120 E. 460 N. T. et T. 11. 46600	Date:	
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Full name of fourth inventor <u>Todd Durniak</u>		
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Full name of sixth inventor Gerald Williams, M.D.	
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